

# Susan M. Williams, LLC

ATTORNEY AT LAW

146 High Street  
Enfield, CT 06082

Paralegals:  
Tammy Curran  
Natalie Brayson  
Jack Williams

Telephone: (860) 745-6611  
Facsimile: (860) 745-6633  
E-Mail: [susan@williams-law.com](mailto:susan@williams-law.com)

## **SUPPORT OF PASSAGE OF BILL NO. 6372 AN ACT EXEMPTING FROM EXECUTION CERTAIN FUNDS IN A JUDGMENT DEBTOR'S ACCOUNT**

I am an attorney and have been practicing bankruptcy law representing debtors for the past 30 years. I have had many instances over the years dealing with the process a debtor is faced with when they experience a bank execution. The procedure in place currently is arduous and has specific criteria needed to be complied with merely to enjoy the exemption that a debtor is otherwise automatically entitled to by law.

**First** the debtor “should” receive notice directly from the bank via first class mail that the bank account is frozen along with an Exemption Form.

I have had many situations where the debtor does not receive any paperwork from the bank and they learn about the execution by trying to access their money only to find out that it has been frozen. Without receiving the form the debtor believes there is nothing more they can do.

**Second:** The debtor must properly claim an exemption. The form required to be sent to the debtor is confusing to a lay person. There is a list of exemptions a – u and this automatic exemption being proposed in this bill would need to be identified by the debtor way down the list at letter “r” stating “any interest of the exemptioner in any property not to exceed in value \$1,000.00.” In my experience debtors do not identify that “interest” as cash in the bank. The consumer will read through the available exemptions such as alimony, child support, unemployment and think well none of that applies to me.

**Third:** If the debtor is now successful in identifying the wildcard exemption they now need to complete the form properly and have their signature notarized. Many debtors do not know how to go about getting a signature notarized or may just abandon the process because of that.

**Fourth:** The debtors have a time constraint of 20 days to get the form back to the bank. Often this deadline has passed by the time the debtor comes in for an appointment and the opportunity to claim the exemption has been lost.

**Fifth:** If the debtor does properly figure out the exemption, have the signature notarized and get the form back to the bank they are without their funds for two weeks before they have a hearing. The majority of these consumers are living paycheck to paycheck and have necessary living expenses set up on automatic payment or have written checks for these expenditures. Once the money is held for two weeks before the debtor can properly claim the exemption through this procedure checks bounce and the debtor incurs more fees and expenses they cannot afford.

**Sixth:** The debtor is still not done – there is now a court appearance that is required. The debtor has to make time for a court appearance to go before a judge to explain they have an exemption they would like to claim. The debtor typically cannot afford to miss work for this hearing.

This entire process is intimidating, confusing, time consuming and overwhelming to a lay person only to claim an exemption that they are otherwise entitled to by Connecticut General Statute. The automatic protection of \$1,000.00 under this proposed bill would do away with this process and allow the debtors to experience the exemption they are entitled to by law.

I support the passage of Bill No. 6372. I appreciate the opportunity to be heard on this matter.

Respectfully submitted,

Attorney Susan M. Williams

Very truly yours,

Susan M. Williams, Esq.